

## **CAB Rule Committee Meeting Notes**

Zoom Conference September 24, 2020.

Meeting began at 12:05 p.m. Pacific

In Attendance:

### Committee Members

Mark Case, Washington State Collection Agency Board Member – Industry member

Scott Kinkley, Washington State Collection Agency Board Member – Public member

David Reid, Director of government affairs and regulatory policy for the Receivables Management Association.

Kevin Underwood, Collection attorney, Linebarger Goggan Blair & Sampson –Gig Harbor, WA

Kirk Miller, Consumer Rights Attorney- Spokane, WA

Sam Leonard, Collection attorney – Seattle, WA

Andy Madden, ACA International vice president of government and state affairs.

### Program Staff

Shari Honeywell, Administrative Assistant 3

Grace Hamilton, Investigator 3

Julie Konnersman, Management Analyst 3

Kathe McDaniel, Assistant Administrator

Julia Manley, Acting Assistant Administrator

Rick Storvick, Administrator

Elizabeth Lagerberg, Assistant Attorney General, Board Advisor

- Mr. Storvick covered the purpose of the meeting and agenda in detail.
- Mr. Reid inquired as to if DOL had experienced any problems/complaints for the last 3 months while the emergency rule was in effect. Mr. Underwood was also curious. Mr. Storvick determined there has been no inquiries/concerns brought forth to DOL.
- Mr. Underwood mentioned the emergency rule may be dealing with more than the purposeful intent of the ability to work from home, citing the IT data & security concerns.
- Mr. Kinkley briefly described some concerns for discussion. He referenced the need to provide definitions for topics such as “virtual office “and “administrative permissions”. Lack of any restriction on what it means to work “remotely. Mr. Kinkley has concerns regarding a desire for data security policies to be created and possible virus protection requirements. Scott mentioned that maybe data security policies should be approved and kept on file with DOL.
- Mr. Leonard questioned what possible consequences were, as the committee is working through the rules process and at the end of the process it was discovered the WAC conflicted

with RCW. Ms. Lagerberg provided an explanation where should a citizen make a complaint (challenge) the Court could review and rule in favor or overturn the WAC.

- Mr. Leonard wanted to know more about how we know data is safe. Concern is someone is hit with data breach and bankruptcy ensues. Concern was lack of protections in place such as bonds.
- Mr. Kinkley mentioned concerns in the media regarding hackers targeting “at home workers” more aggressively as their security protocols are deemed weaker.
- Mr. Kinkley shared drafting rules for IT data security is an opportunity for setting the golden standard for the industry, blazing the trail for others to follow.
- M. Lagerberg cautioned we should be careful and thoughtful while drafting the data security requirements. There are specific scenarios when the state can impose data security requirements, you need a basis and it must be the right framework.
- Mr. Leonard had a question regarding the ability to communicate with others on the committee during this process, and would these communications be subject to Public Records request. Mr. Storvick and Ms. Lagerberg lead a discussion stating the emails would be subject to Public Records requirements and also provided additional detail around OPMA and what constitutes a public meeting.

#### **ACTION ITEMS:**

- Mr. Underwood would like to know if any other heavily regulated industries such as Attorneys at Law and the Banking have already crafted such language around working at home, as they would have access to very sensitive information. Could DOL obtain any information?
- Could Mr. Nicholas (IT representative on the committee) provide some language around IT and Data security as a foundational beginning? Perspectives from a policy that states how you stay secure. Can DOL gather and get that information out to the committee?
- Request by the committee for Ms. Konnersman to send out the emergency rule in word document format. COMPLETED.
- Request by DOL to committee members: Once you have reviewed the word document (sent to you by Ms. Konnersman), please provide thoughts or feedback directly to Ms. Konnersman by Monday, September 28<sup>th</sup>. This way she can compile remarks and suggestions for discussion at the next meeting.
- Request of Industry members: Mr. Leonard would like to hear from industry members what this looks like to you, what is the purpose and what do you envision this to do (drafting this language).

Meeting adjourned at 1:13

**Next Meeting: Thursday October 1<sup>st</sup>, beginning at 1:30 p.m. to 3:30 p.m. Pacific Time.**